



# CRYSTAL POLICE DEPARTMENT

## Department Policy Manual

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### PURPOSE

The purpose of this policy is to establish a uniform method to accept, store, dispose of, and/or release property in an efficient and lawful manner.

### SCOPE

All members of the Crystal Police Department who seize, accept, store, dispose of, and/or release property and/or evidence.

### DEFINITIONS

- A. **Evidentiary** – property which is believed to be related in some way to a crime or criminal offense.
- B. **Non-Evidentiary** – property which is neither believed to be connected with nor constitute part of any known or suspected criminal offense. Generally, pertains to found property, abandoned property or property being held strictly for safekeeping. “
- C. **Property** – any item, whether evidentiary or non-evidentiary in nature, which has been seized, confiscated, found or in any other way turned over to the custody of the Crystal Police Department.
- D. **Categories of Property**
  1. **Evidence** – property related to a crime that may tend to prove or disprove a person’s involvement in a crime.
  2. **Safekeeping** – property having no evidentiary value that is acquired or confiscated at accidents, calls for service or crime scenes that cannot be immediately returned to the owner.
  3. **Found Property** – property having no evidentiary value that comes into the custody of the police department after being turned in as found or abandoned.
  4. **Booked for Destruction** – property having no evidentiary value that may be disposed of immediately.
    - Drugs and/or contraband that has been discovered by an officer, whose ownership is unknown, and from which no charges will be filed.
    - Property that a City of Crystal citizen has submitted for destruction. Note that property should not be accepted for destruction unless it is contraband and

dangerous in itself (illegal fireworks, unstable ammunition, explosive devices). Citizens with inert property (firearms, knives, etc.) should be referred to dealers, pawnshops or an appropriate waste disposal site.

- License plates which have been properly impounded per MN State Statute §168.041

## **POLICY**

It is the policy of the Crystal Police Department to ensure that all property in the Department's custody is properly secured and stored in a manner that protects it physically, allows it to be readily retrieved, and that fully and properly documents changes in its custody. All property that a member of the Crystal Police Department takes into his/her possession while performing their duties as an employee shall be properly documented, recorded, packaged, and stored. Whenever the procedures outlined herein cannot be followed, for reasons beyond the control of the officer/employee, alternative action taken must be consistent with the intent of this policy and with a supervisor's approval.

## **PROCEDURES**

### **General Procedures & Regulations**

- A. It is the duty of all officers to care for, control and correctly process all evidence or property which may come into their possession in the course of their official duties.
- B. Officers will not under any circumstances convert to their own use, loan or give away any item of property coming into their possession in the course of their official duties, nor will any such property be destroyed, except consistent with the provisions of this policy.
- C. Any officer who seizes property will ensure that the property is properly packaged and processed into the Crystal Police Department's property management software (Evidence Manager) prior to the end of their shift.
  1. If an officer believes it will be impossible to log all property in prior to the completion of the shift on which it was seized, they must notify a supervisor for guidance. The supervisor may authorize a reasonable amount of additional time to accomplish the logging of property.
  2. Pending final entry into the evidence tracking system, the property shall be maintained in a temporary storage locker, with the officer who seized the property maintaining possession of the key to that locker.
  3. If size restraints prevent the property from being maintained inside a temporary evidence locker consult with the Support Services Manager for further guidance.
- D. All property seized shall be placed under the control of the Support Services Manager before the officer completes his/her tour of duty.
  1. Property will be considered under the control of the Support Services Manager when it has been properly packaged, tagged, logged into Evidence Manager and secured inside a temporary evidence locker.
  2. Large/abnormal items which will not fit into a temporary evidence locker, and which are seized outside of the Support Services Manager's hours, may be secured in a location that

is deemed secure by an on-duty supervisor.

- E. A report shall be filed every time a member of the Crystal Police Department seizes or accepts possession of an item of property.
- F. All property submitted for storage must be packaged and labeled consistent with the provisions of this policy and the Crystal Police Department Packaging Manual.
- G. All property in the custody of the Crystal Police Department will be stored within designated, secure areas with access limited to authorized personnel.
- H. At no time will members of the Crystal Police Department store property in their lockers, desks, case files, offices, or any other unauthorized location unless that property is necessary to continue an investigation and has been properly signed out from the Support Services Manager.
- I. Property can be stored in Evidence Room G, flammable cabinet, garage cage, and in the bike room at old Public Works building.
- J. Access to areas under the control of the Support Services Manager shall be restricted as follows:
  - 1. Access to the Support Services Manager's office shall be limited to the Support Services Manager, Chief of Police, Investigations Lieutenant and Records Manager.
  - 2. Access to Evidence Room G shall be limited to the Support Services Manager, Chief of Police, Investigations Lieutenant and Records Manager.
  - 3. Any personnel accessing Evidence Room G, except for the Support Services Manager, must sign in on the access log located in the Support Services Manager's Office. Personnel other than the Support Services Manager must follow the 'two-person rule' – with both staff making entry signing the log. One of the members entering the room must be one of those designated in this policy as being authorized to enter.
- K. Mechanical and/or electronic keys providing access to the Support Services Manager's office and Evidence Room G shall be held exclusively by persons expressly authorized access to those areas.
  - 1. Such keys shall not be loaned to any person for any reason.
  - 2. Such keys shall not be duplicated except at the direction of the Chief of Police.
  - 3. Such keys shall be kept in a secure place when not in the possession of the person assigned the key.
- L. The Investigations Lieutenant will maintain the property and evidence functions of the Crystal Police Department in the event of an extended absence of the Support Services Manager.
- M. Final disposition of property shall be accomplished within twelve (12) months of legal requirements having been satisfied.

## **PACKAGING AND LABELING PROPERTY**

- A. Packaging Property

1. The Crystal Police Department Property & Evidence Manual provides guidelines for proper packaging of items.
2. Evidentiary items shall be packaged in a way that protects their value as evidence.

### **SPECIAL HANDLING CONSIDERATIONS**

#### **A. Drugs/Narcotics**

1. Drugs should be submitted in tamperproof protective packaging whenever they are received, released, or returned to the Support Services Manager. Packaging which is not sealed properly will not be accepted.
2. If safe to do so, drugs should be entered separately from any packaging they were originally seized in.
3. Bar code labels for drugs/narcotics should list the weight of the contents and a count of the number of items in appropriate (pills, LSD tabs, etc.).
4. The Support Services Manager will not verify the weight of sealed packages.

#### **B. Firearms**

1. All firearms will be cleared prior to submission. If a gun cannot be cleared due to damage, a Crystal Police Department armorer will be notified.
2. All evidentiary firearms will be submitted in an appropriately sized gun box.
3. Non-evidentiary guns shall be submitted with an evidence tag attached (long guns) or inside an appropriately sized paper bag (handguns).
4. Firearms will ONLY be released with proof purchase, approved background check and case completion.
5. If being held for safe keeping, same as previously stated plus a letter to the Chief of Police asking for firearm back
6. The final decision of firearm returns will be made by the Chief of Police or designee by the Chief of Police at Crystal Police Department.
7. Court orders may be needed as well for gun returns.

#### **C. Money**

1. All seized currency shall be counted by the impounding officer and at least one other officer, and then sealed inside a tamperproof currency pouch. The currency pouch will be initialed by both officers, and the outside of the pouch will be clearly marked with the number of currency items of each denomination. If more than \$1,000 is being seized a supervisor should be notified – and should be present when the currency is counted.
2. The Evidence Manager bar code attached to the currency pouch shall list the total value of the currency sealed inside.
3. All money submitted to the Support Services Manager shall be secured in the safe inside the vault.

#### **D. Perishable Items**

1. For misdemeanor or ordinance offenses, perishable items should be photographed, and the items should be returned or destroyed on site. The photographs shall be submitted as evidence.
2. For felony level offenses involving perishable items contact the Support Services Manager or a supervisor for guidance.

#### E. Contaminated Evidence & Sharps

1. Evidentiary items contaminated with bodily fluids must be dried prior to packaging each item separately inside paper bags.
2. Any packaging containing contaminated items shall contain a 'Biohazard' sticker on the exterior of the packaging.
3. Items may be dried inside a temporary evidence locker or another secured location (with supervisory approval). Any time an item is seized which will need to be dried the Support Services Manager will be notified in person or via email.
4. Any 'sharps' shall be safely packaged using approved methods – and will be clearly labeled with a 'Biohazard' sticker.
5. Biohazard items being submitted to property should be placed into the temporary lockers which are designated with a 'Biohazard' sticker.

#### F. Alcohol

1. When seized as an evidentiary item, all unopened cans or bottles of alcohol that are secured with an original cap may be seized and submitted as is.
2. When open containers of alcohol are seized as evidence – and the alcohol inside may be of evidentiary value – a sample of the liquid inside should be submitted in a sample bottle available in the evidence packaging area. The container should be rinsed out and submitted with the sample bottle.
3. When an open container of alcohol is being submitted, and the liquid contents are not of evidentiary value, the container should be rinsed out and submitted inside a leak-proof plastic bag

#### G. Vehicles

1. If a vehicle being seized as part of a criminal investigation requires processing and/or is going to be searched, it shall be brought to the Crystal Police Department garage for processing. Vehicles awaiting processing should be marked with crime scene tape to alert garage users that the vehicle may be processed for forensics
2. Upon completion of processing, vehicles shall be returned to the owner or towed to Crystal's contracted lot for storage.

#### H. Bicycles

1. All bicycles taken during the regular course of duties of Crystal Police staff members will be entered into the evidence management software and tagged with a bar code label. This label should list as much information as possible – to include the brand, model, size, color and serial number

2. Impounding officers/CSO's will ensure that a query is run to check for stolen hits and/or other notices regarding the impounded bike.
- I. Digital Photos, Audio and Video Media
1. Twenty of more photographs taken as evidence will be entered into evidence as follows:
    - An entry will be made in Evidence Manager listing the number of photos being submitted. The bar code label for the item number listing the digital photos will be printed and placed in an envelope with a USB stick.
    - If digital evidence is emailed or placed on the "G" drive, an evidence entry is required and the office will note in the entry under remarks, where to locate the digital evidence.
    - Photos that are attached to the report will not be entered into evidence.
  2. Audio/Video media that is submitted as evidence will be packaged per the guidelines set forth in the Crystal Police Department Packaging Manual.
  3. If an officer receives emailed evidentiary items they will forward the email to the Support Services Manager – who store the data on a secured portion of the storage server.

## **EVIDENCE**

### A. Submission of Evidence

1. The impounding officer shall be responsible for completing appropriate reports and ensuring that paperwork is complete and accurate.
2. Evidence will be considered submitted to the Support Services Manager when it is appropriately packaged, labeled, and secured inside of a locked storage locker (unless other arrangements have been made with the Support Services Manager or a supervisor).

### B. Evidence Acceptance, Processing and Storage

1. The Support Services Manager shall receive all items of property submitted at the beginning of each workday. These submissions will be inspected for proper packaging and labelling prior to being accepted.
2. If defects in packaging and/or labeling are found, the items will be retained inside the temporary storage locker where they were found, and the key for the locker and a list of corrections needed will be returned to the submitting officer
3. The Support Services Manager will be responsible for transferring all accepted property to an approved storage location – and ensuring that the storage location is properly noted in Evidence Manager.
4. The Support Services Manager will be responsible for ensuring that any movements of property, either internal or external, are properly noted in the Evidence Manager software.

- C. Evidence will be released/disposed of per the guidelines set forth in the section below titled 'Temporary and Final Release of Property'.

## **SAFEKEEPING PROPERTY**

### **A. Submission of Property for Safekeeping**

1. Prior to impounding property for safekeeping, officers will be responsible for determining that there is a need for safekeeping and that there is no other reasonable way of returning the property.
2. Officers impounding property for safekeeping are responsible for ensuring that the property's owner knows it is in police custody and that it may be retrieved by contacting the Support Services Manager to make arrangements.
3. Safekeeping property will be packaged, processed, and labelled per the packaging guidelines. Any time property is being entered for safekeeping a report must be filed.

### **B. Acceptance, Processing and Storage of Safekeeping Items**

1. The Support Services Manager shall receive all items of property submitted at the beginning of each workday. These submissions will be inspected for proper packaging and labelling prior to being accepted.
2. If defects in packaging and/or labelling are found, the items will be retained inside the temporary storage locker where they were found, and the key for the locker and a list of corrections needed will be returned to the submitting officer.
3. The Support Services Manager will be responsible for transferring all accepted property to an approved storage location – and ensuring that the storage location is properly noted in Evidence Manager.
4. The Support Services Manager will be responsible for ensuring that any movements of property, either internal or external, are properly noted in the Evidence Manager software.

### **C. Safekeeping property will be released/disposed of per the guidelines set forth in the section below titled 'Temporary and Final Release of Property'.**

### **D. Safekeeping items will be held for 90 days. One attempt will be made to contact the owner via phone, email and/or US mail. If no reply has been made within 90 days of this contact the item will be considered abandoned and will be disposed of.**

### **E. Firearms and other weapons being held for safekeeping as a result of potential filing of an Order for Protection and/or Domestic Violence offenses will be held until the case has been adjudicated. At which time the Crystal Police Department will release or dispose of the weapons per the Court's decision.**

## **FOUND PROPERTY**

### **A. Submission of Found Property**

1. Officers impounding found property are responsible for attempting to make an initial contact with the property owner (if they can be identified).
2. Found property will be packaged, processed and labeled per the packaging guidelines. Any time property is being entered as found a report must be filed

B. Acceptance, Processing and Storage of Found Property

1. The Support Services Manager shall receive all items of property submitted at the beginning of each workday. These submissions will be inspected for proper packaging and labelling prior to being accepted.
2. If defects in packaging and/or labelling are found, the items will be retained inside the temporary storage locker where they were found, and the key for the locker and a list of corrections needed will be returned to the submitting officer.
3. The Support Services Manager will be responsible for transferring all accepted property to an approved storage location – and ensuring that the storage location is properly noted in Evidence Manager.
4. The Support Services Manager will be responsible for ensuring that any movements of property, either internal or external, are properly noted in the Evidence Manager software.
5. The Support Services Manager will be responsible for attempting to locate an owner for found property using normal investigative means.

C. Found property will be released/disposed of per the guidelines set forth in the section below titled ‘Temporary and Final Release of Property’.

D. Found property will be held for 90 days. One attempt will be made to contact the owner via phone, email and/or US mail. If no reply has been made within 90 days of this contact the item will be considered abandoned and will be disposed of.

E. Found property that was unable to be linked to known owner will be disposed of via approved means after 90 days.

**PROPERTY BOOKED FOR DESTRUCTION**

A. Submission of Property Booked for Destruction

1. Officer taking custody of property for destruction from private citizens will ensure that it is a reasonable request, that the person giving up the property is the owner, and that no satisfactory alternative exists.
2. Before submitting drugs and/or contraband for destruction, officers shall ensure that further investigation is not warranted, and that destruction is appropriate.
3. Property being booked for destruction will be packaged, processed, and labelled per the packaging guidelines. Any time property is booked for destruction, a report shall be filed.

B. Acceptance, Processing and Storage of Property Booked for Destruction

1. The Support Services Manager will collect all property submitted for destruction at the beginning of each workday.
2. If defects in packaging and/or labelling are found, the items will be retained inside the temporary storage locker where they were found, and the key for the locker and a list of corrections needed will be returned to the submitting officer.



3. The Support Services Manager will be responsible for transferring all accepted property to an approved storage location – and ensuring that the storage location is properly noted in Evidence Manager.
4. The Support Services Manager will be responsible for ensuring that any movements of property, either internal or external, are properly noted in the Evidence Manager software.
5. Property booked for destruction will not be held for a specified period of time prior to its destruction – it will be immediately scheduled for disposal per the guidelines set forth in the section below titled ‘Temporary and Final Release of Property’.

#### **TEMPORARY AND FINAL RELEASE OF PROPERTY**

A. When property is being checked out by a member of the Crystal Police Department for court, analysis, identification, or any other official purpose:

1. The Support Services Manager shall carefully inspect the property before turning it over to the requesting officer.
2. The requesting officer will carefully inspect the property prior to assuming custody of it from the Support Services Manager.
3. The Support Services Manager will move the chain of custody in Evidence Manager when requesting officer receives the property. When property will be leaving our police department, a 'Release of Property to Officer/Investigator' form will be signed and dated by collecting officer/agency.
4. The officer receiving the property shall be responsible for the security and integrity of all items signed out to them.
5. The property shall be returned directly to the Support Services Manager, or a temporary evidence locker if after hours, as soon as possible after the reason for its removal has concluded
6. Before accepting the property back into secure storage, the Support Services Manager shall inspect the property and note any qualitative and/or quantitative changes in condition. If packaging has been altered, the Support Services Manager retains the right of refusal until packaging meets guidelines
7. Once evidence has been returned, the Support Services Manager will change the chain of custody of item in Evidence Manager.

B. Returning Property to Owner

1. Items shall be returned to known owners if a qualification below applies:
  - The item has been determined not to be of evidentiary value by the investigating officer.
  - The item was taken into custody for safekeeping and/or found property.
  - A court has ordered its return.
2. Owners will be notified that property is available for pickup either via phone, US mail and/or email. Once notification has been made, owners will have 30 days to schedule pickup – after which time the Support Services Manager may use whatever other disposal means are applicable (auction, destruction, donation).

3. Owners will be required to show photo identification prior to receiving items from secure storage. If ownership was contested and/or unknown, owners may be required to show proof of ownership prior to the release of property (receipts, describing identifying marks, etc.).
4. All people receiving property back from the Crystal Police Department will be required to sign a 'Property Release Receipt' – including listing their current address and phone number. These receipts will be kept on file by the Support Services Manager.
5. Officers requesting property from secure storage for return to owners will need to sign the property out on a 'Release of Property to Officer/Investigator' form. They will also be given a 'Property Release Receipt' to have the property owner complete. The 'Property Release Receipt' must be returned to the Support Services Manager as soon as possible after the property's return.
6. The Support Services Manager will be responsible for updating Evidence Manager to reflect the final disposition of all property returned to owners.

#### C. Destruction, Transfer to City Use, Donation and/or Auction of Property

1. Items shall be destroyed, transferred to city use, donated or auctioned if the qualifications below apply:
  - The item has been determined not to be of evidentiary value by the investigating officer; **OR**,
  - The statute of limitations has expired; **OR**,
  - The case has been adjudicated and time limits for all appeals have passed (for ALL defendants); **OR**,
  - A Judge or County Attorney has submitted written documentation declaring that the item may be disposed of; **OR**,
  - The property was entered as booked for destruction; **AND**,
  - There are no known owners to return the property to, or the property has been abandoned by its owner.
2. Items with saleable value will be sold through PropertyRoom.com, with proceeds being forwarded to the City of Crystal General Fund.
3. Items in good condition, but which PropertyRoom.com will not accept, will be donated when possible.
4. Items which may be of use to the City of Crystal in the commission of its duties to its citizens will be transferred to official city use. Any time an item is to be transferred to the city's use, the Chief of Police must certify permission in writing.
5. Items with no value and/or nuisance items will be destroyed. Nuisance items will be destroyed in a manner which prevents them from being used in the future

#### **PROPERTY MANAGEMENT FUNCTION**

- A. The Support Services Manager shall have the responsibility of maintaining, securing, and storing all property which has been accepted into the custody of the property management function of the Crystal Police Department, under the direction of the Deputy Chief and Chief of Police.

- B. The mission of the property management function is, consistent with the provisions of this policy, to be responsible for the legally sufficient and administratively efficient management of all property in the custody of the Crystal Police Department.
  
- C. The Records Manager shall:
  - 1. Supervise the Support Services Manager and arrange coverage for vacations and other absences.
  - 2. Ensure that all provisions of this policy are adhered to.
  - 3. Review the results of all inspections and take corrective action if deficiencies are identified.
  
- D. The Support Services Manager shall:
  - 1. Be directly responsible for the day-to-day management, control, security, integrity and timely return of those items accepted by or stored in the Crystal Police Department's property storage areas.
  - 2. Inspect all items submitted for storage – and shall have the authority to reject any item(s) that is improperly packaged, labelled, inventoried, or otherwise inappropriately prepared for submission.
  - 3. Be responsible for packaging and shipping all evidence to county, state or federal laboratories for further testing – or arrange for their transportation via other approved means (investigating officer, Community Service Officer, etc.).
  - 4. Maintain the inventory and evidence tracking system of all property held by the Crystal Police Department – including keeping a record of all items that may be temporarily removed from secure storage (at court, lab testing, etc.).
  - 5. Identify property that may be returned to its owner – and arrange for the disposal of items which are no longer of evidentiary value or required to be held by statute.
  
- E. The Impounding Officer shall:
  - 1. Be responsible for the identification, collection and initial packaging of all property seized.
  - 2. Ensure that appropriate reports detailing the circumstances by which the property was acquired have been completed and submitted to Records.
  - 3. Ensure that all items or packages are identified with labels and tags as provided for that purpose
  - 4. Submit all property to the Support Services Manager by placing it in an approved storage area prior to the end of their shift.
  - 5. Take reasonable steps to identify the owner or custodian of the property being seized – and advise them of the status and location of their property.

## **INSPECTIONS & AUDITS**

- A. The property management function will be inspected/audited to ensure the following:
  - 1. The property room is being maintained in a clean and orderly fashion.

2. The integrity of the property is being maintained.
  3. The provisions of this policy are being followed.
  4. That proper accountability procedures are being maintained.
  5. That property no longer possessing evidentiary value is being disposed of promptly.
- B. At least twice per year the Deputy Chief or their designee will assist the Support Services Manager in the completion of an inspection.
1. The primary focus of this inspection is to assure the adherence to procedures relevant to the control of property.
  2. Such inspection will include the physical storage facilities, as well as the software tracking systems.
  3. A report of the inspection shall be documented in memorandum format and forwarded to the Chief of Police.
- C. An internal audit of the property management function shall be conducted annually, or any time there is a change in staffing in a position that has property room access or supervisory duties.
1. The audit should represent a significant sampling of in-custody property and records of sufficient scope to satisfy the auditor that policies and procedures are being followed.
  2. The audit shall be conducted by the Deputy Chief or their designee.
  3. A report of the audit shall be documented in memorandum format and forwarded to the Chief of Police.
- D. An audit by external auditors will be conducted at least once every five years.